

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

BB-117

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

10/506598

INTERNATIONAL APPLICATION NO.  
PCT/EP03/02246INTERNATIONAL FILING DATE  
05 March 2003PRIORITY DATE CLAIMED  
05 March 2002

## TITLE OF INVENTION

Agent for the Preventive Therapy After Acute Stroke

## APPLICANT(S) FOR DO/EO/US

Andreas Meisel, Konstantin Prass, Christian Meisel, Elke Halle, Ulrich Dirnagl, Hans Dieter Volk

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (unsigned).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ Application Data Sheet Under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

Certificate of Verification of Translation (not executed); and  
Certificate of Mailing by Express Mail

U.S. APPLICATION NO. (if known, see 37 CFR 1.53) <b>10/506598</b>		INTERNATIONAL APPLICATION NO. PCT/EP03/02246		ATTORNEY'S DOCKET NUMBER BB-117	
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21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . . <b>\$1080.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . . <b>\$920.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . . <b>\$770.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . . <b>\$730.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . . <b>\$100.00</b>  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>          <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: right;">\$920.00</td> <td style="width:50%;"></td> </tr> </table>		\$920.00	
\$920.00							
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).							
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$			
Total claims	<u>18</u> - 20 =	<u>0</u>	x <b>\$18.00</b>	\$0.00			
Independent claims	<u>4</u> - 3 =	<u>1</u>	x <b>\$86.00</b>	\$86.00			
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ <b>\$290.00</b>	\$0.00		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1,006.00			
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	\$503.00		
<b>SUBTOTAL =</b>				\$503.00			
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0.00			
<b>TOTAL NATIONAL FEE =</b>				\$503.00			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +				\$0.00			
<b>TOTAL FEES ENCLOSED =</b>				\$503.00			
				Amount to be refunded:	\$		
				charged:	\$		

  

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 19-0065 in the amount of \$ 503.00 to cover the above fees.  
 A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
 overpayment to Deposit Account No. 19-0065. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
 information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

  

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

CORRESPONDENCE ADDRESS:

  

CUSTOMER NUMBER <b>23,557</b>	September 2, 2004 DATE	<div style="text-align: right;">             SIGNATURE         </div> <div>           David R. Saliwanchik            NAME            31,794            REGISTRATION NUMBER         </div>
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Patent Application  
Docket No. BB-117

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : MEISEL et al.  
Docket No. : BB-117  
For : Agent for the Preventive Therapy After Acute Stroke

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY EXPRESS MAIL (37 CFR §1.10)

Express Mail No. **ER876765663US** of Deposit: September 2, 2004

I hereby certify that the attached Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) with copies as required for authorization for use of Deposit Account No. 19-0065; A translated copy subject PCT application, Verification of Translation (unsigned); Preliminary Amendment; clean copy of claims; and Declaration (37 CFR §1.63) and Power of Attorney are being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR §1.10 on the date indicated above and are addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Natalia Talero  
Name of person mailing paper

  
Signature